

Minutes of the Public Works Committee May 10, 2012

Chair David Swan called the meeting to order at 8:30 a.m.

Committee Members Present: County Board Supervisors David Swan (Chair), Walter Kolb, Pauline Jaske, Jennifer Grant, Keith Hammitt, Richard Morris and Tom Schellinger.

Also Present: County Board Chief of Staff Mark Mader, Legislative Associate Karen Phillips, Senior Civil Engineer Karen Braun, Public Works Director Allison Bussler, Senior Financial Analyst Clara Daniels, Enterprise Operations Manager David Burch, Business Manager Betsy Forrest, Waukesha Metro Transit Director Robert Johnson, Wisconsin Coach Lines Vice President Tom Dieckelman and County Board Chairman Paul Decker.

County Board Chairman Decker welcomed the committee members and wished them luck during their terms as County Board Supervisors over the next two years. It is important to remember our obligations to the citizens of the County. Decker advised that most decisions made today have implications for years to come. He thanked the Committee members for their service.

Future Meeting Date

- June 14, 2012

Committee Welcome and Opening Remarks by Chair Swan

Swan welcomed the committee members and gave a brief overview of committee procedures. To insure a quorum will be present, he asked committee members to notify Phillips or the County Board Office if unable to attend a meeting. Swan advised that during any presentations given at the Public Works Committee meetings, committee members should hold their questions, if possible, until the presenter is finished.

Nomination and Election of Vice Chair

MOTION: Schellinger moved, second by Jaske, to approve Kolb as vice chair of the Public Works Committee. Motion carried 7-0.

Nomination and Election of Secretary

MOTION: Schellinger moved, second by Kolb, to approve Jaske as secretary of the Public Works Committee. Motion carried 7-0.

Discuss Committee Duties and Responsibilities as Contained in the Code of Ordinances

Mader briefly reviewed the duties and general responsibilities of the Public Works Committee members as outlined in Chapter 4 of the Waukesha County Code. He noted the committee should be prepared to address both sides of an issue at the County Board level and be able to explain to a reasonable person why the Board took the action they did. Mader went over the open meetings law guidelines, reminding the Committee members that all meetings are recorded and subject to open records requests. He stated that County Board Office staff members are readily available to assist with any issues or questions that supervisors may have.

Ordinance 167-O-006: Laying Out, Relocation And Improvement Of County Trunk Highway L, First Revision, Waukesha County Project, Project I.D. 2380-00-03, CTH Y To Lannon Drive, City Of Muskego, Waukesha County

MOTION: Schellinger moved, second by Kolb, to approve Ordinance 167-O-006.

Braun explained her responsibilities as a senior civil engineer in the Department of Public Works, which include right of way, real estate and land acquisitions. She explained this ordinance is a revision to a prior relocation order for acquiring right of way along CTH L (Janesville Road). The plat has been updated to reflect some changes that have occurred since the project began, none of which affect the cost of the project. One of the major changes was based on drainage and the installation of a retention pond. Other changes to the plat include a correction of a survey error and numerous ownership changes.

Braun further explained the details relating to the location of the retention pond. Hammitt asked if there were any safety issues with the pond located next to a school. Braun stated the pond would be fenced.

Jaske asked when the Janesville Road project is slated for completion. Braun stated that the entire road project would be substantially finished and functioning by the end of 2013 with some additional paving and landscape completion to be done in the spring of 2014.

Motion carried 7-0.

Ordinance 167-O-007: Laying Out, Relocation And Improvement Of County Trunk Highway D, Waukesha County Project, Project I.D. 12-2772(16), Intersection Of S. Sunnyslope Rd. And CTH D, City Of New Berlin, Waukesha County

MOTION: Hammitt moved, second by Jaske, to approve Ordinance 167-O-007.

Braun discussed this ordinance which supports the reconstruction of CTH D at the intersection of Sunnyslope Road in New Berlin. As part of the Signals and Safety Program, high accident or high traffic intersections are analyzed for possible improvements. In order to bring this intersection up to standards, land needs to be acquired from four adjacent corners. Two lanes would be added and outdated, ill-functioning signal equipment replaced. This relatively minor project would be done this summer.

Motion carried 7-0.

Ordinance 167-O-008: Laying Out, Relocation And Improvement Of County Trunk Highway VV, Waukesha County Project, Project I.D. 2753-06-71, CTH "Y" To Jackson Drive, Village Of Menomonee Falls, Waukesha County, And Sale Of Excess Right Of Way

MOTION: Jaske moved, second by Hammitt, to approve Ordinance 167-O-008.

Braun discussed this ordinance which identifies right of way acquisitions for the reconstruction of CTH VV (Silver Spring Drive) and authorizes the sale of excess right of way. There are about 40 parcels included in this relocation order. One of the parcels located immediately within the right of way area contains a single-family farmhouse, which is in phenomenal condition. Although the house would eventually be located extremely close to the road, it would still be habitable. After thoughtful consideration, the owners have decided to sell the property to the County rather than to continue to live there during and after the road construction. Instead of the County tearing down the house, it could be sold for the right price. Full disclosure of the right of way condition would be made at the time of sale.

Kolb stated he is uncomfortable with this situation. Why should the County take ownership of this property if it can be resold? Braun explained that the nature and use of this property would be changed significantly. The current owners would take a sizable loss. The County is ultimately responsible for the damage.

Hammitt asked what liability there is to the County in this case. Braun said a disclosure must be made at the time of sale. The person buying the property would be made fully aware of the conditions and take on the responsibility as part of the disclosure.

Jaske inquired about the appraised value of the property and the anticipated resale price. Braun said the property is appraised at \$223,100. The Department of Public Works would hire a broker to sell it at perhaps around \$170,000 (about a \$50,000-\$60,000 loss). Braun noted that the County is also covering relocation expenses for the seller; however, it would have cost much more to avoid this property as part of the road reconstruction. Swan opined that it is much cleaner to do it this way. Jaske added that the County has a history of treating people well.

Braun further clarified that she met with the property owners and they were given a choice. They have lived in the house about six years and were not aware of the road construction plan at the time of purchase. She emphasized that this type of transaction is not setting precedent for the County. It had been done about 15 years ago with a property on Pilgrim Road. That property has sold multiple times since then and it has not been an issue for the County.

Motion carried 7-0

Approval of Bid: Data Room Air Conditioning Replacement and Remodeling (DPW CH 11-14-CH)

Ramos was present to discuss the bid for HVAC work in the IT data room in the Courthouse. The servers are creating hot spots in the room, which the old, existing equipment cannot adequately cool. The consultant has reviewed the present and future HVAC needs. Four bids were submitted. The low bid was submitted by J&H Heating, Inc. in the amount of \$56,900 for the base bid. Ramos added that J&H has done work for the County in the past and did a good job overall.

To answer Hammitt's question regarding the base bid/owner purchase amounts as listed on the bid tabulation sheet, Ramos explained the bid included a provision that would allow the County to directly purchase equipment for the project from the supplier, which garners a sales tax savings for the County. The County will exercise this option and purchase the equipment for \$23,654 (this amount will be deducted from the base bid amount). Ramos added that the equipment package includes a dry cooler, which provides pre-cooling ability during the colder months of the year. As a result of the cost savings achieved with use of the dry cooler, payback on the equipment will be realized in about a year and a half.

MOTION: Schellinger moved, second by Hammitt, to approve the bid by J&H Heating, Inc. in the amount of \$56,900.

Kolb and Jaske were concerned with the extremely large discrepancy between the low and high bids and had reservations about the ability of the low bidder to perform the work for the price. To address the concerns of Jaske and Kolb regarding the cost variance between the four bids submitted, Ramos further explained that the consultant put together a bid spec for this project, specifying equipment which had to meet certain requirements. The bid from J&H covers the labor involved to install the equipment they recommended. In comparison, Grunau's bid includes a lower equipment cost but the labor charge to

install it is higher. The consultant has reviewed the bid packages and determined that requirements of the spec were met, regardless of the equipment manufacturer each vendor may choose to install.

Hammitt asked if there could be any unknown issue that J&H is not aware of in this project, since their bid was significantly lower. Ramos stated that the County met with J&H and went through the details of the project to ensure they understood the full scope of the project, and Ramos does not foresee any issues with this project.

Bussler commented that generally, in dealing with vendors and different equipment, certain equipment might meet the same specs but there are different installation requirements. Some companies may do certain types of work more often than others, so they know how to estimate it better. In the last few years, the economy has been a major factor in creating a very competitive bidding climate. Perhaps some companies are doing jobs just to break even in order to keep their employees working. Speaking from past experience, Morris agreed with Bussler that installation costs can vary greatly from one vendor to another.

Further discussion ensued as Kolb and Jaske recalled some instances where vendors had asked to withdraw their bid because of an error. Bid bond requirements were briefly discussed.

Ramos assured that there are controls in place to hold the vendor to the bid price; there will not be any change orders, and the performance bond is in place. He reiterated that the County has worked successfully with J&H Heating, Inc. in the past and is comfortable with this bid. Ramos recommended that this bid be approved.

Motion carried: 7-0.

Approval of Bid: Waukesha County Park System 2012 Asphalt and Concrete Paving (PLU 12-02)

MOTION: Jaske moved, second by Hammitt, to approve the bid by Payne and Dolan, Inc. in the lump sum amount of \$474,555.79 for Base Bid 1-10.

Burch was present to discuss this bid to replace sections of roadway and concrete areas which have been deemed below the County's standard. Areas slated for replacement include park roadways, portions of parking lots and golf course drives/paths. Payne and Dolan's bid is about \$150,000 under the County's estimate for this project.

Burch thanked Gary Evans of Public Works for his help with determining specifications and estimates to fine-tune this project. The projects would be scheduled around park reservations, as not to inconvenience the customers. The work is to be completed by October 2012.

At Hammitt's request, Burch explained the project location for each base bid as follows:

- Base Bid 1: Waukesha County Communications Center
- Base Bid 2: Fox Brook Park
- Base Bid 3: Minooka Park
- Base Bid 4: Nagawaukee Golf Course
- Base Bid 5: Nagawaukee Park
- Base Bid 6: Pewaukee Boat Launch
- Base Bid 7: Radio Services Center
- Base Bid 8: Muskego Park (concrete around the beach house)

- Base Bid 9: Miscellaneous concrete walk and ramp replacement around the Government Center Campus
- Base Bid 10: Muskego Park accessible patio and walk (adjacent to beach house)

Grant asked if each project is broken down into separate bids, could there be a choice to pick and choose the low bid for each project individually? Burch explained the bid award is based upon the lowest total. Overall, the larger project items are all significantly lower in the bids from Payne and Dolan. From a management/administration standpoint, it is much more efficient to manage one contract with one contractor and hold them to a schedule. Scheduling becomes very cumbersome working with multiple companies. Jaske asked who is responsible for scheduling the projects. Burch stated County staff (both in the field and in the office) work with the contractor to schedule the projects, while being mindful of picnic area reservations and park/golf course activity.

Motion carried: 7-0.

Approval of Bid: Park Restrooms Renovations at Nashotah County Park (PLU 12-01)

Burch was present to discuss the bid for restroom renovations at Nashotah County Park, which is part of the ongoing capital project to replace pit toilets. A total of five restrooms in various County parks have been completed to date; there are 13 more to go, for a total of 18 restrooms. There has been an increased interest in park reservations due to the new facilities, which are ADA compliant.

The project was initially estimated to cost about \$320,000; however, the bids came in somewhat higher in part due to fuel prices, labor costs, and a longer run for the water line. The two restrooms at Nashotah will be heated, which will help preserve the life of the structure, and may be open year round.

Kolb reiterated his long-standing opposition to the restroom project as a whole, in that it certainly is not a top priority at this point. Burch noted this is part of a long-standing capital project. These new facilities will comply with federal ADA requirements. Kolb asked if there is any timeframe in which the County must be ADA compliant. Burch replied no, but it is required at the time of a remodel. These restrooms have not been updated in over 47 years. Mader reminded the committee that this project has already been approved by the County Board. Grant said she has issues with spending the money in this economy, but understood the project is already approved and the committee is only approving the bid. Hammitt concurred, in that the committee has an obligation to approve the low bid if the proper bidding process has been followed.

MOTION: Jaske moved, second by Hammitt, to approve the bid by Ray Stadler Construction Co. Inc. in the lump sum amount of \$388,900 for the base bid.

Morris asked whether the committee could reject the bid because it was over budget. Burch stated no – there are adequate funds in the budget to cover the project.

Motion carried 7-0.

Overview of Waukesha County Transit Routes

Bussler explained that Waukesha Metro Transit administers the Waukesha County Transit Program through a contract with the City of Waukesha. Funding from state and federal sources is received directly by and paid to vendors by Waukesha Metro Transit.

Johnson discussed the services provided to the county through Waukesha Metro Transit. Forrest distributed informational pamphlets/route schedules and transit guides/maps. Johnson stated that this route information is available to the public at various locations throughout the county, including the Courthouse and Department of Public Works.

Waukesha Metro Transit contracts with Wisconsin Coach Lines, Inc. to provide transit services in Waukesha County for the following routes:

- 901: Waukesha/Milwaukee Express
- 904: Oconomowoc/Milwaukee Express
- 905: Oconomowoc/Milwaukee Express
- 906: Mukwonago/Milwaukee Express

Waukesha County ADA Paratransit Service is operated by Transit Express. Paratransit Service operates within one mile of Waukesha County Transit Route 901. Users of the Paratransit Service must obtain a certification to be eligible. Routes operated by Milwaukee County Transit System include Route 10 (Humboldt-Wisconsin) and Route 79 (Menomonee Falls Flyer).

Report on Contract Awards for Routes 901, 904, 905, and 906

Johnson stated that Wisconsin Coach Lines was the only vendor to submit a Request for Proposal (RFP). The RFP was evaluated by a review committee consisting of the following members:

- Waukesha County Board Chief of Staff Mark Mader
- Waukesha County Senior Buyer Karen Bollinger
- Waukesha Metro Transit Director Robert Johnson
- Public Works Business Manager Betsy Forrest
- Director of Aging and Disability Resource Center Cathy Bellovary

The Committee recommended award of the contract to Wisconsin Coach Lines, Inc.

Johnson reviewed the Waukesha County Transit contract rates for the Wisconsin Coach Lines Service 2012-2017 contracts:

Route 901-904-905

Per revenue vehicle hour:

6/1/12 – 5/31/13 \$134.65
6/1/13 – 5/31/14 \$138.55
6/1/14 – 5/31/15 \$142.57
6/1/15 – 5/31/16 \$146.70
6/1/16 – 5/31/17 \$150.96

Route 906

Per revenue vehicle hour:

6/1/12 – 5/31/13 \$289.05
6/1/13 – 5/31/14 \$297.43
6/1/14 – 5/31/15 \$306.06
6/1/15 – 5/31/16 \$314.94
6/1/16 – 5/31/17 \$324.08

A fuel escalation clause will be in effect for both contracts. On a monthly basis, the contractor will calculate the monthly average price of fuel and a charge or credit will be included on the monthly invoice. An equipment clause will be in effect for both contracts. During the first three years of the contract, the contractor will upgrade its fleet so that buses manufactured in the 1990's are not used to provide the service. If the contractor fails to upgrade its fleet as described, payment under this contract will be frozen for the life of the contract at year three levels.

Kolb voiced his objection to the equipment replacement clause. Johnson stated that a bus that is 15 years old has reached its useful life. Kolb countered that some buses may have less mileage, wear, tear, and should not have to be replaced. Further discussion ensued. Mader stated that during the RFP review a question came up about the age of the buses, and whether they were up to compliance standards. Wisconsin Coach Lines answered that it was their intent to replace the buses, rotating in years 2001-2002

models. Jaske asked for input from the Wisconsin Coach Lines representative on the issue. Dieckelman confirmed that what Mader said is true. He indicated the long-term plan was to replace the buses because at some point the buses do get too old. Kolb still did not agree it had to be stipulated in the contract and that the contractor should have flexibility. Jaske reaffirmed the option is there in the contract that does leave open a choice for upgrading the vehicles. Morris viewed it as another tool to use to maintain the level of quality of service the County is providing.

Update on the Federal Transportation Budget

Bussler stated that Waukesha County is a member of the Transportation Development Association (TDA) of Wisconsin. The TDA is a conglomeration of transportation related industries that share common transportation issues. Jaske asked for TDA membership information, and Bussler stated she would send it to her.

One of the TDA's priorities is getting the most federal transportation funding as possible for Wisconsin. Bussler recently joined other members of the TDA in Washington D.C. where they met with members of the Wisconsin delegation to lobby for important transportation funding issues. Lawmakers are currently working to pass the federal transportation bill, which has most recently been extended until September 30, 2012. The two areas of greatest concern for Waukesha County are the off-system bridge program and the Surface Transportation Program (STP). Jaske requested that Bussler compose a letter, on behalf of the LUPE Committee, asking Wisconsin congressmen and senators to preserve the off-system bridge program and maintain STP funding for the state.

MOTION: Jaske moved, second by Morris, to adjourn the meeting at 10:53 a.m. Motion carried 7-0.

Respectfully submitted,

Pauline Jaske
Secretary